

# NATIONAL PARKS CONSERVATION ASSOCIATION

*Protecting Parks for Future Generations™*

THOMAS C. KIERNAN  
*President*

October 31, 2001

The Hon. James L. Connaughton, Chair  
Council on Environmental Quality  
Executive Office of the President  
17<sup>th</sup> and G Streets, NW  
Washington, DC 20503

via fax 202-456-6546

And web: [www.whitehouse.gov/ccq](http://www.whitehouse.gov/ccq)

Dear Mr. Connaughton:

Re: 66 FR 43586

On behalf of our 425,000 members nationwide, the National Parks Conservation Association (NPCA) respectfully submits its comments concerning the Notice and Request for Comments: Energy Task Force, 66 Fed. Reg. 43,586 (August 20, 2001).

We are very concerned about proposed relaxation of Clean Air Act permitting processes in the name of facilitating development of new power plants. The Environmental Protection Agency and, therefore, the State agencies that administer various provisions of the Clean Air Act have an affirmative responsibility to ensure that any permitting of new sources does not adversely affect the air quality related values (AQRVs) of Class I Areas. Many of these Class I Areas, such as Shenandoah and Great Smoky Mountains National Parks, are already being adversely affected by existing air pollution. For example, at Great Smoky Mountains NP, our nation's most-visited national park, the National Park Service has had to issue "unhealthy air" notices to employees and park visitors on 140 days over the last four years. Scenic vistas, which surveys indicate are the principle reason for the park's tourism, have been reduced in the summer season from a historic 65 miles to an average of only 15 miles. Research has documented that at least 30, and as many as 90 different species of plants are currently being damaged by sustained high levels of ground-level ozone.

In the Commonwealth of Virginia alone, there are currently 30 or more proposed or newly permitted power plants. Shenandoah National Park is one of the most polluted national parks in the country, with regional haze, acid rain, and ground-level ozone among its problems. Clearly the existing regulatory structure does not present insurmountable barriers to developing new power plants.

Given the uncertainty as to whether U.S. energy policy or pending legislation will effectively address the impacts being caused by these existing sources, the provisions of the New Source Review (NSR) and Prevention of Significant Deterioration (PSD) are the only effectuating processes to accomplish this Congressionally-mandated requirement.



1300 19th Street, N.W. • Suite 300 • Washington, D.C. 20036  
(202) 223-NPCA(6722) • Fax (202) 659-0650  
[tkiernan@npca.org](mailto:tkiernan@npca.org) • [www.npca.org](http://www.npca.org)

PRINTED ON RECYCLED PAPER ♻

These effect-based analyses are critical to this purpose and NPCA has participated in these processes on several occasions.

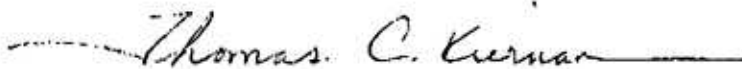
Two observations flow from these experiences. First, the information and modeling requested by the land managers is essential to the Congressionally-mandated determination being made. NPCA participated in the creation of a "Memorandum of Agreement" between the State of Tennessee and the Department of the Interior to streamline the permitting process and make an early determination as to whether Class I issues would be involved with the processing of an application. We suggest that that agreement be reviewed for its applicability. Second, it is our experience that delays in the processing of permits for new sources are generally caused not by any unnecessary bureaucratic process, but by applicants and States that seek political by-passes to gathering and analyzing the needed substantive information.

The American public expects, and the law requires, the protection of Class I Areas from degradation by air pollution. The Congress and the Bush Administration must take steps to clear the air in national parks that have suffered degradation for decades. Any tinkering with current permitting processes that would increase, rather than decrease, pollution in Class I areas would violate Congressional intent and the public trust.

Restoring and protecting air quality in America's national parks is critical to the Administration's successful completion of its conservation agenda to protect and restore the national parks. Relaxing power plant permitting processes will impede, not assist, protecting the national parks.

We reserve the right to provide supplemental information or to extend our comments in a subsequent communication. Thank you for the opportunity to comment on this proposal.

Sincerely,

A handwritten signature in cursive script, reading "Thomas C. Kiernan". The signature is written in dark ink and is positioned above the printed name and title.

Thomas C. Kiernan  
President

October 31, 2001

The Hon. James L. Connaughton, Chair  
Council on Environmental Quality  
Executive Office of the President  
17<sup>th</sup> and G Streets, NW  
Washington, DC 20503

via fax 202-456-6546  
And web: [www.whitehouse.gov/ceq](http://www.whitehouse.gov/ceq)

Dear Mr. Connaughton:

Re: 66 FR 43586

On behalf of our 425,000 members nationwide, the National Parks Conservation Association (NPCA) respectfully submits its comments concerning the Notice and Request for Comments: Energy Task Force, 66 Fed. Reg. 43,586 (August 20, 2001).

We are very concerned about proposed relaxation of Clean Air Act permitting processes in the name of facilitating development of new power plants. The Environmental Protection Agency and, therefore, the State agencies that administer various provisions of the Clean Air Act have an affirmative responsibility to ensure that any permitting of new sources does not adversely affect the air quality related values (AQRVs) of Class I Areas. Many of these Class I Areas, such as Shenandoah and Great Smoky Mountains National Parks, are already being adversely affected by existing air pollution. For example, at Great Smoky Mountains NP, our nation's most-visited national park, the National Park Service has had to issue "unhealthy air" notices to employees and park visitors on 140 days over the last four years. Scenic vistas, which surveys indicate are the principle reason for the park's tourism, have been reduced in the summer season from a historic 65 miles to an average of only 15 miles. Research has documented that at least 30, and as many as 90 different species of plants are currently being damaged by sustained high levels of ground-level ozone.

In the Commonwealth of Virginia alone, there are currently 30 or more proposed or newly permitted power plants. Shenandoah National Park is one of the most polluted national parks in the country, with regional haze, acid rain, and ground-level ozone among its problems. Clearly the existing regulatory structure does not present insurmountable barriers to developing new power plants.

Given the uncertainty as to whether U.S. energy policy or pending legislation will effectively address the impacts being caused by these existing sources, the provisions of the New Source Review (NSR) and Prevention of Significant Deterioration (PSD) are the only effectuating processes to accomplish this Congressionally-mandated requirement.

These effect-based analyses are critical to this purpose and NPCA has participated in these processes on several occasions.

Two observations flow from these experiences. First, the information and modeling requested by the land managers is essential to the Congressionally-mandated determination being made. NPCA participated in the creation of a "Memorandum of Agreement" between the State of Tennessee and the Department of the Interior to streamline the permitting process and make an early determination as to whether Class I issues would be involved with the processing of an application. We suggest that that agreement be reviewed for its applicability. Second, it is our experience that delays in the processing of permits for new sources are generally caused not by any unnecessary bureaucratic process, but by applicants and States that seek political by-passes to gathering and analyzing the needed substantive information.

The American public expects, and the law requires, the protection of Class I Areas from degradation by air pollution. The Congress and the Bush Administration must take steps to clear the air in national parks that have suffered degradation for decades. Any tinkering with current permitting processes that would increase, rather than decrease, pollution in Class I areas would violate Congressional intent and the public trust.

Restoring and protecting air quality in America's national parks is critical to the Administration's successful completion of its conservation agenda to protect and restore the national parks. Relaxing power plant permitting processes will impede, not assist, protecting the national parks.

We reserve the right to provide supplemental information or to extend our comments in a subsequent communication. Thank you for the opportunity to comment on this proposal.

Sincerely,

Thomas C. Kiernan  
President